

TRANSMITTAL  
FORM

Application Number	70-284,630
Filing Date	March 13, 2001
First Named Inventor	Craig M. Copeland
An Unit	7762
Examiner Name	E. Feltz
Attorney District Number	1922-1903

Date: 04/28/2005  
Adjustment BHARRISI 00000001  
03/14/2005 120.00 CR  
01 FC:1251

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Practitioner's Docket No. MI22-1563

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Craig M. Carpenter

Application No.: 09/805,620 Group No.: 1762  
Filed: March 13, 2001 Examiner: E. Fuller  
For: "Chemical Vapor Deposition Methods"

Assistant Commissioner for Patents and Trademarks  
P.O. Box 1450, Mail Stop 16, Alexandria VA 22313-1450  
ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND  
(IMPROPER CHARGE ON DEPOSIT ACCOUNT)

## I. REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated March 14, 2005 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.  
A copy of the Certificate of Facsimile Transmission, accompanies this request.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

## FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office. 703-308-5077

Date: 21 March 2005

  
Signature

Rhonda G. Rambo  
(type or print name of person certifying)

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 3)

5 total Pages

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**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED****AMOUNT OF  
REFUND  
REQUESTED**

Improper charge for Extension for Response within First Month \$120.00  
**TOTAL REFUND REQUESTED \$120.00**

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

We filed our response to the December 6, 2004 office action via facsimile on March 7, 2005 which is within the approved regulations per 37 CFR 1.6 (3) and 37 CFR 1.8(a) 1(i) (B) and (ii). The office action was due Sunday, March 6, 2005; 37 CFR 1.6 (3) states the next succeeding day following a Sunday is accepted at the PTO.

The office action response facsimile started at 11:05 Pacific Standard Time on March 7, 2005 and took a duration of 38:04 minutes to transmit; therefore, the PTO received the office action transmission by 11:43 Pacific Standard Time; which is within the 37 CFR 1.8 (a) 1(i) (B) and (ii) Regulations.

Therefore, no additional fees are believed to be required. Please credit Deposit Account No. 23-0925 with the above fee amount.

**37 CFR 1.6 Receipt of correspondence.**

(3) Correspondence transmitted by facsimile to the Patent and Trademark Office will be stamped with the date on which the complete transmission is received in the Patent and Trademark Office unless that date is a Saturday, Sunday, or Federal holiday within the District of Columbia, in which case the date stamped will be the next succeeding day which is not a Saturday, Sunday, or Federal holiday within the District of Columbia.

37 CFR 1.6(d) specifies the types of correspondence which may be transmitted by facsimile. These would include CPAs filed under 37 CFR 1.53(d), amendments, declarations, petitions, issue fee transmittals and authorizations to charge deposit accounts.

(ii) Supplies an additional copy of the previously transmitted application under Section 1.53(d)


**37 CFR 1.8 Certificate of mailing or transmission.**

(a) Except in the cases enumerated in paragraph (a)(2) of this section, correspondence required to be filed in the Patent and Trademark Office within a set period of time will be considered as being timely filed if the procedure described in this section is followed. The actual date of receipt will be used for all other purposes. (1) Correspondence will be considered as being timely filed if: (i) The correspondence is mailed or transmitted prior to expiration of the set period of time by being: (A) Addressed as set out in Section 1.1(a) and deposited with the U.S. Postal Service with sufficient postage as first class mail; or (B) Transmitted by facsimile to the Patent and Trademark Office in accordance with Section 1.6(d); and (ii) The correspondence includes a certificate for each piece of correspondence stating the date of deposit or transmission. The person signing the certificate should have reasonable basis to expect that the correspondence would be mailed or transmitted on or before the date indicated.

IV. MANNER OF REFUND

Please Credit Account No. 23-0925.

Date: 21 Mar 2005

  
James E. Lake  
Reg. No. 44,854  
Wells St. John P.S.  
601 West First Ave., Suite 1300  
Spokane, WA 99201-3828  
Tel. No.: (509) 624-4276  
Customer No.: 021567

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